

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**DERRICK D. ROBINSON,**

**Petitioner,**

**V.**

**JULIUS WILSON,**

**Respondent.**

**Case No. 1:06-CV-00468**

## Judge Ann Aldrich

**Magistrate Judge  
William H. Baughman, Jr.**

## MEMORANDUM AND ORDER

In March, 2006, Derrick D. Robinson filed a *pro se* petition for a writ of habeas corpus under 28 U.S.C. § 2254 [Doc. 1]. The case was referred to Magistrate Judge Baughman for a Report and Recommendation (R&R). On October 20, 2008, Robinson died [Doc. 17]. On December 10, 2008 the R&R was filed, recommending that his petition be dismissed as moot [Doc. 18]. Neither party has filed an objection to the R&R. Accordingly, this court adopts the R&R in its entirety, and for the reasons stated therein, dismisses Robinson's petition as moot.

Because the parties have failed to file objections, they have waived their rights to appellate review. *Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995). Therefore, this order is final, but not appealable.

IT IS SO ORDERED.

*/s/ Ann Aldrich*  


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ANN ALDRICH  
UNITED STATES DISTRICT JUDGE

**Dated: January 7, 2009**